

Golestani



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**Patent Application**

Inventor(s)	Jamaloddin S Golestani	Case Name	Golestani 3
Filing Date	June 8, 1999	Serial No.	09/327,347
Examiner		Group Art Unit	
Title	End-to-End Internet Congestion Control		

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231  
SIR:

**RESPONSE TO MISSING PARTS**

AND

**REQUEST TO CORRECT THE FILING DATE**

The above referenced application was mailed on June 5, 1999, by the United States Post Office Express Mail Service. The Express Mail certification copy is enclosed as Attachment A. Consequently, applicant believes that he is entitled to be accorded June 5, 1999 as the Filing Date. The postcard was returned with the correct Filing Date. The filing receipt (PTO 103x), however, indicates a filing date of June 8, 1999. This is clearly an error, and applicant respectfully requests that the error be corrected.

The mailing on June 5 included a specification, two sheets of drawings, a signed Declaration and Power of Attorney, an executed Assignment, a recordation form, and a transmittal form, together with a Fee form. This is indicated on the copy of the returned postcard that is enclosed as Attachment B.

The PTO issued a NOTICE TO FILE MISSING PARTS, claiming that the Declaration is missing.

It is respectfully submitted that the PTO has somehow mishandled the Declaration. It is feared that, perhaps, the Assignment was also mishandled.

A copy of the signed Declaration and Power of Attorney is enclosed, as well as and a copy of the executed Assignment and an unsigned copy of the Recordation form. The copies of the Declaration and the Assignment are not marked as Attachments, but the

Recordation form is marked as Attachment E. A copy of the Fee form is also enclosed as attachment F to show that the recordation fee has been paid.

It is respectfully submitted that the "missing parts" issue results from a mishandling on the part of the PTO and that, therefore, applicant should not have to pay any fees. It is also respectfully requested that the Assignment be forwarded to the Assignment Division for recordation, if that had not been done with the originals.

A response regarding the disposition of the Declaration, the Assignment, and the Filing date issues is respectfully requested.

Dated: 2/15/99

Respectfully,  
Jamaloddin S Golestani

By   
Henry T. Brendzel  
Reg. No. 26,844  
Phone (973) 467-2025  
Fax (973) 467-6589  
email [brendzel@att.net](mailto:brendzel@att.net)



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/327,347	06/08/99	GOLESTANI	J GOLESTANI.3

HENRY BRENDZEL  
PO BOX 574  
SPRINGFIELD NJ 07081

0232/0701

NOT ASSIGNED

2756

DATE MAILED: 07/01/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☐ non-small entity is \$ 50

☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**


Customer Service Center  
Initial Patent Examination Division (703) 308-1202

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Complete if Known	
		Application Number	
		Filing Date	
		First Named Inventor	<b>Jamaloddin S Golestani</b>
		Examiner Name	
		Group/Art Unit	
Total number of pages in this Submission	<b>11</b>	Attorney Docket ID	<b>Golestani 3</b>

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check  <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavit(s)/Declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.2 or 1.53 <input type="checkbox"/> Declaration (no Missing Parts Notice)	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (TO/SB/69) and Accompanying Petition  <input type="checkbox"/> To Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation or Change of Correspondence Address  <input type="checkbox"/> Express Abandonment  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> To Convert to Statutory Invention Registration	<input type="checkbox"/> Postcard(s)  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> Request for a Refund  <input type="checkbox"/> After Allowance Communication to group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Request to correct Filing Date
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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Henry T. Brendzel	
Signature		Date 7/15/99

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelop addressed to the Assistant Commissioner for Patents, Washington D.C. 20231 on this date:

**Henry Brendzel**

Name of Person Signing

Signature

Date

## CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being electronically transmitted by facsimile to the United States Patent Office:

Name of Person Signing

Signature

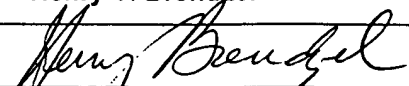
Date

Attachment F

PTO/SB/17 Modified 12/98 - Henry Brendzel

<b>FEE TRANSMITTAL</b> Patent Fees are subject to annual revisions on 10/1/99. These are the fees effective November 10, 1999. Small entity payments must be supported by a small entity statement. Otherwise, large entity fees must be paid. See Forms PTO/SB/09-12.		Application Number			
		Filing Date			
		First Named Inventor	Jamaloddin S. Golestani		
		Examiner Name			
		Group/Art Unit			
TOTAL AMOUNT OF PAYMENT		(\$)	1088	Attorney Docket ID	Golestani 3

METHOD OF PAYMENT (check one)						FEE CALCULATION (continued)	
1. The Commissioner is hereby authorized to charge indicated fees and other underpayments, and credit overpayments to:						3. ADDITIONAL FEES	
Deposit Account Number      Deposit Account Name						Fee Description	Fee Paid
12-2325      Lucent Technologies, Inc.						Surcharge - late filing fee or oath	
<input checked="" type="checkbox"/> Charge any additional Fee Required under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance						Surcharge - late provisional filing fee or cover sheet	
2. <input type="checkbox"/> Payment enclosed:						Non-English specification	
<input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other						For filing request for reexamination	
1. FILING FEE						Requesting publication of SIR prior to Examiner action	
Fee Description						Requesting publication of SIR after Examiner action	
Utility Filing Fee						Extension for reply within the first month	
Design Filing Fee						Extension for reply within the second month	
Plant Filing Fee						Extension for reply within the third month	
Reissue Filing Fee						Extension for reply within the fourth month	
Provisional Filing Fee						Extension for reply within the fifth month	
SUBTOTAL (1) (\$)						Notice of Appeal	
760						Filing a brief in support of an appeal	
2. CLAIMS						Requesting an oral hearing	
	Claims remaining	Highest Paid	Extra	Rate	Petition to institute a public use proceeding		
Total Claims	36	20	15	18	Petition to revive - unavoidable		
Independent Claims	1	3	0	78	Petition to revive - unintentional		
Multiply Dependent Claims				260	Utility issue fee (or reissue)		
SUBTOTAL (2) (\$)						Design issue fee	
288						Plant issue fee	
						Petitions to the Commissioner	
						Petitions related to provisional applications	
						Submission of Information Disclosure Statement	
						Recording each patent assignment per property (times number of properties)	40
						Filing a submission after final rejection (37 CFR 1.129(a))	
						For each additional invention to be examined (37 CFR 1.129(b))	
						Other fee	
						Other fee	
						Other fee	
						SUBTOTAL (2) (\$)	40

SUBMITTED BY				Complete (if applicable)	
Typed of Printed Name	Henry T. Brendzel			Reg. Number	26,844
Signature				Deposit Account User ID	
	Date	6/4/99			

Attachment B



Committer of Patents and Trademarks, Box: Patent Application  
Inventor Case Name Golestani 3  
Today's date: 5/11/99

Stamp of the USPTO acknowledging receipt of the following is requested.

Specification: 28 pages  
Drawing: 2 sheets  
Declaration and POA  
Assignment  
Recordation Form  
Transmittal Form  
Fee Form

EE046546821US

jc510 U.S. PTO  
09/327347  
06/08/99



**POST OFFICE TO ADDRESSEE**

**SEE REVERSE SIDE FOR  
SERVICE GUARANTEE AND  
INSURANCE COVERAGE LIMITS**

ORIGIN (POSTAL USE ONLY)									
PO ZIP Code		Day of Delivery		Flat Rate Envelope					
07081		<input checked="" type="checkbox"/> Next <input type="checkbox"/> Second		<input type="checkbox"/>		Postage			
Mo. Day Year		<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM		\$ 1.57					
Time In		Military		Return Receipt Fee					
<input type="checkbox"/> AM <input type="checkbox"/> PM		<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day		COD Fee		Insurance Fee			
Weight		Int'l Alpha Country Code							
lbs. ozs.		Acceptance Clerk Initials		Total Postage & Fees		\$ 1.57			
No Delivery		<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday							
CUSTOMER USE ONLY									

**CUSTOMER USE ONLY**

**METHOD OF PAYMENT:**

Express Mail Corporate Acct. No.

Federal Agency Accl. No. or  
Postal Service Accl. No.

**FROM: (PLEASE PRINT)**

PHONE \_\_\_\_\_

1

S. Gillies + Pl

William A. T 07041

Confidential

**TO: (PLEASE PRINT)**

**PHONE**

Combs, S. on / Patent

Trade Mark

De 70031

Box: Application

**FOR PICKUP OR TRACKING CALL 1-800-222-1811**

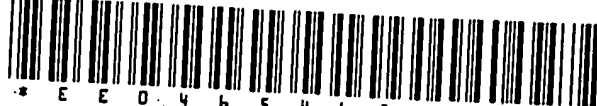
**www.usps.gov**

**CELESTINE**

Label 11-B July 1997



**Customer Copy**



A Hachmont A

☐ **WAFER OF SIGNATURE** (Domestic Only) *Address and name of addressee must be typed in full. Failure to do so may result in delivery to an incorrect address. Signature of addressee or addressee's agent is required. All orders can be left in secure location and authorized that delivery and signature constitutes valid proof of delivery.*

☐ **NO DELIVERY** ☐ **NO SIGNATURE**